

EXHIBIT 1 – CERTIFICATION

With respect to the subject matter of Plaintiffs' Motion to Compel, undersigned counsel certifies:

1. On January 13, 2023, counsel for Plaintiffs and Defendants met and conferred by Zoom discussing discovery requests seeking, inter alia, principal loss documents, Defendants' policies and procedures, Defendants' accountings for the subject offerings, and Defendants' objections to production, including Defendants' relevance objections. Defendants advised they were maintaining their objections, but would take Plaintiffs' counter points regarding relevance "under advisement." Counsel conferred for just under two hours. Plaintiffs' counsel Dan Centner and Brian Pastor, and Defendants' counsel Brendan Quigley and Robert Tiefenbrun, were present and participated in the meet and confer.
2. In the months following, Plaintiffs and Defendants subsequently exchanged emails and letters attempting to find common ground. While they were able to resolve some of their issues, unfortunately, the aforementioned issues raised in the Plaintiffs' Motion to Compel remained unresolved, with Defendants refusing to withdraw any objections while stating they would consider supplemental productions of a limited set of undefined documents.
3. On November 15, 2023, Plaintiffs' counsel sent Defendants a lengthy letter reiterating those areas where the parties appeared at an impasse and asking for one final meet and confer.
4. On November 22, 2023, the parties by Zoom, met and conferred in good faith for approximately 3 hours. Present were Plaintiffs' counsel Dan Centner and Brian Pastor, and Defendants' counsel Brendan Quigley, Robert Tiefenbrun and Kourtney Kinsel. During this conference the parties acknowledged they were at an impasse with respect to the issues presented in the motion, with Defendants maintaining their prior positions across-the-board. Defendants later sent a follow up letter reiterating that they would not be producing any additional documents concerning the requests at issue in this motion.
5. Defendants' position during the meet and confers are set out in the motion, and in their responses and objections excerpted herewith and which they stood by in the meet and confers. Defendants explicitly stated at all times relevant they would not withdraw even a single objection made to the requests at issue in this motion.
6. Plaintiffs made Defendants aware that failure to resolve the issues which are the subject of this Motion would cause Plaintiffs to move to compel this Court for relief.

/s/ Brian B. Pastor, Esq.

Counsel for Plaintiffs